

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JEFFREY DWAYNE JONES,) Civil Action No. 7:05CV00299
Petitioner,) Crim. No. 1:03CR00123
v.)
) ORDER
UNITED STATES OF AMERICA,) By: Hon. James C. Turk
Respondent.) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

That the Respondent's motion to dismiss (dkt no. 13) shall be and is hereby **GRANTED**, and Petitioner's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 (dkt no. 2) for Claim One: Ineffective Assistance of Counsel; Claim Three: Prosecutorial Misconduct; Claim Four: Invalid Plea due to Legal Incompetency, shall be and hereby are **DENIED**.

IT IS FURTHER ORDERED that Petitioner's §2255 motion to vacate, set aside, or correct sentence (dkt no. 2) for Claim Two: Incorrect Calculation of Sentence, shall be and hereby is **DISMISSED**.

This action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to Petitioner and to counsel of record for the Respondent.

ENTER: This 9th day of January, 2006.

James L. Treadwell
Senior United States District Judge